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Toxic Substances Control Act Grants to States

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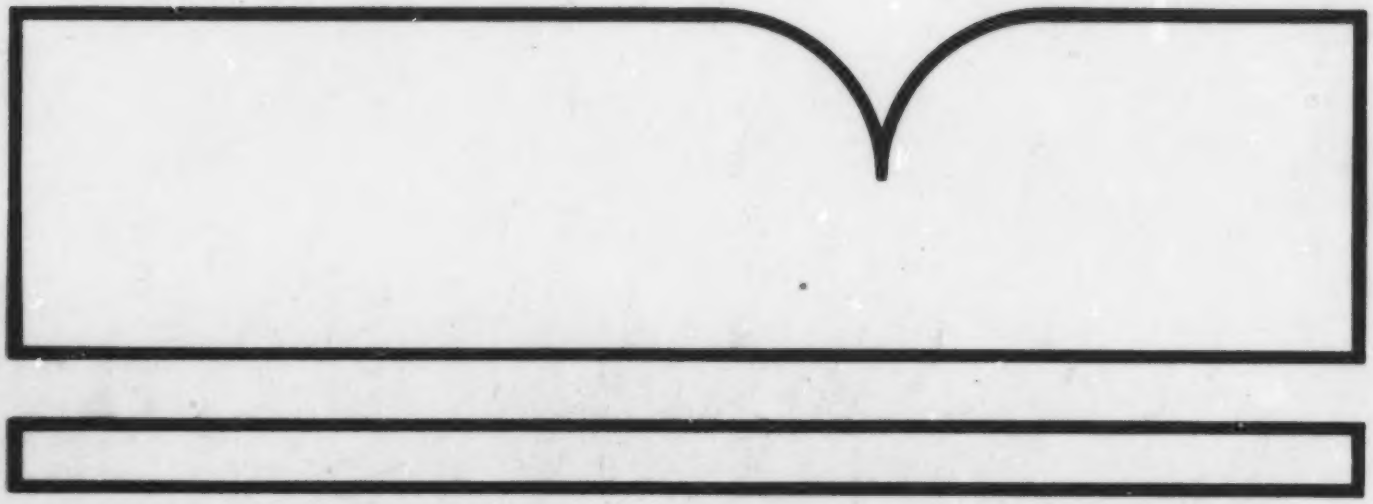

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Toxic Substances Control Act Grants to States

Toxics Integration Information Series

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GRANTS TO STATES

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Foreword

The Office of Pesticides and Toxic Substances recently awarded the final round of grants to States under the Toxic Substances Control Act. The projects supported by these grants deal with a wide-ranging set of toxic substances management issues that may be relevant to other States. In fact, a major criterion for selecting projects for award was the likelihood that techniques or procedures developed thereby would be transferrable to other States or local entities.

We trust this publication will both inform and stimulate interest in chemicals management topics and the progress being made at the State level on them. It is our intention to inform State officials of the availability of results from each of the projects as it is completed.

Further information on status can be obtained by contacting the relevant EPA Regional Office or the Office of Toxics Integration at (202) 382-2256.

Walter W. Kovalick, Jr.
Director
Integration Staff

TABLE OF CONTENTS

Introduction 1

Illinois 5

Maryland -- Toxic Substances Registry 9

Maryland --Containment Assurance Program 13

Michigan -- Critical Materials Registry 17

Michigan -- Interdepartmental Risk Assessment 21

New Jersey 25

New York 33

North Carolina 37

Ohio 41

Puerto Rico 45

Wisconsin 49

Appendix I 53

Appendix II 63

Foreword

The Office of Pesticides and Toxic Substances recently awarded the final round of grants to States under the Toxic Substances Control Act. The projects supported by these grants deal with a wide-ranging set of toxic substances management issues that may be relevant to other States. In fact, a major criterion for selecting projects for award was the likelihood that techniques or procedures developed thereby would be transferrable to other States or local entities.

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Introduction

Section 28 of the Toxic Substances Control Act (TSCA) authorizes a program of Federal assistance to States in order to establish State programs to reduce risks associated with chemicals EPA is unable or unlikely to control under TSCA. In August 1978, EPA announced in the Federal Register the availability of $3 million for this program. Two rounds of awards were announced and guidance was given to States that wished to apply. A similar announcement in February 1980 closed out the available funds. Both announcements are included in Appendix I.

During April of 1979, March of 1980, and March of 1981, nearly $4.5 million was awarded to nine States. Tables 1 and 2 show the distribution of the assistance. Persons wishing to peruse a very abbreviated description of the awarded agreements are referred to EPA's press releases in Appendix II.

The remainder of this report will describe each awarded project in somewhat more detail than is given in a press release. Project descriptions are based on (1) the original grant application, (2) the formal work plans prepared by each State within six months of award, (3) formal revisions to the work plans, and (4) requests for no-cost time extensions to the agreements.

TABLE 1

SECTION 28 APPLICATION AND AWARDS--STATES

State	Award cycle	Dollars requested	Number of projects	Dollars awarded	Projects funded
Arkansas	1	500,000	1	--	--
	2	500,000	4	--	--
California	1	500,000	1	--	--
	2	500,000	1	--	--
Colorado	2	345,750	3	--	--
Connecticut	2	336,458	4	--	--
Delaware	2	75,000	1	--	--
Illinois	1	500,000	1	--	--
	2	783,920	3	--	--
	3	686,961	3	--	--
	3	475,626	1	475,626	1
Iowa	1	396,961	1	--	--
	2	396,961	1	--	--
Louisiana	2	420,966	1	--	--
	3	342,605	1	--	--
Maryland	1	574,231	4	230,935	1
	2	633,614	3	--	--
	3	574,508	3	100,000	1
Michigan	1	504,500	1	504,500	1
	2	433,775	1	--	--
	3	532,258	1	532,258	1
Minnesota	2	357,450	1	--	--
	3	325,749	1	--	--
New Jersey	1	741,000	7	453,947	2
	2	794,053	5	794,053	5
	3	582,121	1	--	--
New York	1	493,000	2	348,000	1
	2	145,000	1	--	--
	3	1,450,327	3	--	--
North Carolina	2	385,000	1	385,000	1
Ohio	3	180,513	1	180,513	1
Oklahoma	2	381,213	3	--	--

SECTION 28 APPLICATIONS AND AWARDS--STATES (cont.)

State	Award cycle	Dollars requested	Number of projects	Dollars awarded	Projects funded
Puerto Rico	2	258,394	2	258,394	2
	3	657,911	3	--	--
Tennessee	3	68,227	1	--	--
Wisconsin	1	339,000	4	202,847	1
TOTALS		17,173,052	76	4,466,073	18

Dollars Awarded by State and Number of Projects

Illinois	--	$475,626	--	1
Maryland	--	330,935	--	2
Michigan	--	1,036,758	--	2
New Jersey	--	1,248,000	--	7
New York	--	348,000	--	1
North Carolina	--	385,000	--	1
Ohio	--	180,513	--	1
Puerto Rico	--	258,394	--	2
Wisconsin	--	202,847	--	1

TABLE 2

SECTION 28 APPLICATIONS AND AWARDS--REGION

Region	Award cycle	Dollars requested	Number of projects	Dollars awarded	Projects funded
I	1	--	--	--	--
	2	336,458	4	--	--
	3	--	--	--	--
II	1	1,234,000	9	801,947	3
	2	1,197,447	8	1,052,447	7
	3	2,690,359	7	--	--
III	1	574,231	4	230,935	1
	2	708,614	4	--	--
	3	574,508	3	100,000	1
IV	1	--	--	--	--
	2	385,000	1	385,000	1
	3	68,227	1	--	--
V	1	1,343,500	6	707,347	2
	2	1,575,145	5	--	--
	3	2,201,107	7	1,188,397	3
VI	1	500,000	1	--	--
	2	1,302,179	8	--	--
	3	342,605	1	--	--
VII	1	396,961	1	--	--
	2	396,961	1	--	--
	3	--	--	--	--
VIII	1	--	--	--	--
	2	345,750	3	--	--
	3	--	--	--	--
IX	1	500,000	1	--	--
	2	500,000	1	--	--
	3	--	--	--	--
X	1	--	--	--	--
	2	--	--	--	--
	3	--	--	--	--

Illinois

Illinois ranks seventh among the States in number of manufacturers and importers reporting for the TSCA inventory of chemicals in commerce, and fifth in number of different substances so reported. The State's proximity to both Lake Michigan and the Mississippi River assures large volumes of chemical transport and storage.

The Department of Public Health alone receives about 50 requests each month to investigate potential exposure to toxic substances. Responding to these requests exhausts the capability of the fledgling toxic substances program, and leave no resources for anticipatory investigation.

An informal program for responding to incidents of environmental exposure has existed since 1972; in 1978, this program was formalized as the Environmental Toxicology Program (ETP). In 1979, the ETP employed two people, purchased a gas chromatograph/ mass spectrometer, and had a budget of $140,000. In addition, the program may, if needed, draw on the resources of other Department units. In order to coordinate the efforts of the State's agencies and to increase the likelihood of receiving early warning of health hazards, the ETP formed an Intra-Departmental Task Force and established working relations with relevant State and Federal agencies, universities, local health departments, coroners, physicians, hospitals, etc.

Proposal

Since the detailed work plan will not be ready for several months, this section presents only the proposal itself. Illinois proposed to develop an integrated system for detecting, recording and investigating morbidity and mortality resulting from exposure to toxic substances. This system has three basic components, each of which is discussed below.

1. Reporting Network: Illinois proposed to develop a voluntary reporting network comprised of: OSHA; CPSC; FDA; USEPA Region 5 (Chicago); USDA; local health departments; hospitals and poison centers; coroners; veterinarians; physicians; the Illinois Comprehensive Cancer Council; Illinois EPA; and other professional associations and organizations. Examples of types of information to be reported are:

   -- Illness or death caused by exposure to a toxic substance

   -- Unusual illness or death in which toxic substances are suspected, but not confirmed

   -- Results of investigations of toxic substances incidents

   -- Routine and special monitoring reports

   -- Potentially useful research results

   During the first two years, network participants will be identified and trained, data to be included will be precisely identified, network communications will be established, and the network will actually begin functioning. Full-fledged operations will commence thereafter.

2. Data Management and Evaluation: In order to use effectively the volume of records expected to be generated by the network, Illinois proposed to develop a computerized data base from the reports, some standard statistical and descriptive reports, and a capability to analyze these and other data to identify clusters of morbidity and mortality incidences that may presage serious environmental problems. These systems, expected to fit into the Department's existing computers, are to be developed by the time reports begin to be submitted.

3. Field Investigation: Based on the results of the analysis described above and criteria to be generated by the Department of Public Health, specific exposure cases will be identified for a field investigation. The Department, in close cooperation with the University of Illinois School of Public Health, will form investigation teams comprised of a physician, a biostatistician, monitoring experts, laboratory staff, an epidemiologist and other environmental health staff. The principal investigative tools will include questionnaires and sampling of appropriate media.

In order to carry out this project, Illinois was awarded $475,626 for a three-year period; final reports are expected in March 1984. Detailed work plans will be available in October 1981.

Maryland -- Toxic Substances Registry

Background

Maryland ranks 15th among the States in number of manufacturers and importers reporting for the TSCA inventory of chemicals in commerce, and 14th in number of different substances so reported. In addition, Maryland has a major seaport, thus assuring that large volumes of chemicals are transported through and stored in the State. Baltimore and its surrounding counties are identified by the National Cancer Institute as having "significantly high to the highest decile" cancer rates for several anatomic sites. Maryland also has a rock quarry in Montgomery County that crushed rock containing 1-2 percent chrysotile asbestos; this rock has been used in unbound form on unpaved roads, parking lots, schoolyards and playgrounds across the State.

Before applying for TSCA funds, Maryland had established a coordinated toxic substances program. In addition to the usual State agencies charged with handling water programs, air programs, waste programs and the like, Maryland had established a Council on Toxic Substances comprised of agency representatives and a wide range of people from the public and private sectors -- including academic medical institutions.

Buttressing these programs are a number of very specific State legislative authorities, most notably:

-- The power to secure information on toxic and carcinogenic substances;

-- The requirement that hospitals and State laboratories report positive, tissue-based diagnoses of cancer;

-- The requirement that physicians and hospitals report adverse reaction from drugs or other toxics;

-- The authority to collect reports of occupational disease and the requirement that physicians report them; and

-- The authority (Air Quality Control Act) to test and monitor.

Proposal and Plan

Maryland's application for TSCA assistance contained four parts:

-- Staffing support for the Council on Toxic Substances

-- Expanding State laboratory capabilities

-- Expanding State health effects activities

-- Modifying the Toxic Substances Registry data base

The last part was funded at $230,935 in April 1979. The other three parts of the application were considered twice, but were not funded.

Early in 1976, Maryland began a survey of industry to locate the presence of carcinogenic and other toxic substances. The proposal sought to expand this existing inventory to a more comprehensive registry of toxic substances by site and quantity, and to provide information on their manufacture, consumption and disposal. An eight-step procedure was proposed.

1. Survey local, State, Federal and university sources of chemical information to determine its nature, structure and potential applicability to the Registry;

2. Survey pertinent literature to determine the experiences of others trying to deal with a similar problem;

3. Design a structure for capturing data so that contributors can retrieve their data plus non-proprietary data submitted by others;

4. Ensure that the Registry's design is such that the data base can be used, in conjunction with other data, as a basis for epidemiological and other investigations;

5. Install the Registry on a central computer accessible (with appropriate security levels) *via* terminal to cooperating entities;

6. Establish cooperative agreements with data sources so that they can immediately retrieve and update their own data;

7. Collect data from cooperating entities, giving it user-designated levels of security and confidentiality; and

8. Update the Registry as needed.

The vast majority of the above tasks will be accomplished by contract. The Department of Health and Mental Hygiene will furnish a Project Officer, two other staff positions, and the occasional services of their Data Systems Department.

Completion of Phase I of the contract (steps 1-4, above) was scheduled for completion in September 1980, and the entire project was to be completed in April 1981. However, unforeseen complications in the contracting process have led Maryland to request that the original two-year agreement be extended (at no additional cost) by twelve months. Thus, the final product is now expected in April 1982.

Maryland -- Containment Assurance Program

Background

Maryland submitted a three-part application in competition for the final $1.275 million available for the State assistance program.

1. Containment assurance program for toxic substances in storage tanks

2. A model program to upgrade the evaluation of toxic substance episodes

3. Expansion of the Department of Health and Mental Hygiene laboratory capabilities to meet the needs of the model State program

The containment assurance program was funded for two years at a level of $100,000.

Proposal

Based on concerns regarding the safety of toxic substances storage tanks in the State, Maryland's legislature directed the Department of Health and Mental Hygiene to evaluate the effectiveness of relevant regulations. The evaluation pointed up a need to upgrade the requirements for safety, maintenance, inspection and emergency procedures.

The purpose of the proposal is to prepare the Department to offer to industry a series of seminars on containment assurance and safety programs for storage tanks. Federal funding and

State matching funds will be used to hire a contractor to develop a "Guide and Procedures Manual for the Development of a Containment Assurance and Safety Program for Toxic Substances Storage Tanks;" a comprehensive training manual and other instructional materials will also be produced by the contractor. The seminars will follow and then the State will implement an expanded regulatory program directed toward enhancing the safety of these storage tanks.

Basic to the program is the Guide and Procedures Manual. Below are listed the proposed major areas of Manual coverage:

-- A classification scheme for tanks based on

  --- contents
  --- tank size
  --- tank type
  --- tank design

-- Recommended scope, methods and frequency of test and inspections

-- Criteria for corrective action

-- Development of standard reporting forms

-- Development of proper test, inspection and maintenance activities

-- Development of secondary containment measures

-- Development of emergency spill containment and counter-measure plans

-- Recommendations for improved operating procedures

Final reports are due in March 1983.

Michigan -- Critical Materials Registry

Background

Michigan ranks eighth among the States in numbers of substances reported manufactured or imported for the TSCA inventory of chemicals in commerce, and ninth in number of manufacturers and importers reporting. In addition, Michigan's location in the Great Lakes chain assures that large volumes of chemicals are transported through and stored in the State.

The State has also had more than its share of toxic substances incidents -- beginning with mercury contamination of the Great Lakes and State waterways in 1970 and including one of the most infamous and costly toxic substances accidents ever to occur -- the PBB contamination of cattle feed in 1973. The PBB incident alone led to the destruction of tens of thousands of large animals, over one million chickens, and tons of related products. A major result of these catastrophes has been a heightened public fear and mistrust, and the concomitant politicization of any incident or decision involving chemicals.

In 1972, Michigan began its Critical Materials Register (CMR) program. The Register is based on extensive review of the scientific literature on physical, chemical and toxicological properties of chemicals. Chemicals selected for review

include those with well-recognized high toxicity, those from NIOSH and EPA lists of priority substances, and chemicals of specific concern to Michigan. The 1978 Register included 190 chemicals and chemical classes, 91 of which are listed as carcinogens, 42 as teratogens, and nine as mutagens. Every business within the State that both utilizes a Critical Material and discharges wastewater to State waters or process waste to a sewer system must file an annual report to the Register. The Register itself was authorized by a 1972 amendment to Michigan's Water Pollution Act.

At the time the proposal was prepared, the State was beginning to develop an Air Priority Chemicals Program (APCP) under the 1965 Air Pollution Act. The two programs are quite similar; however, the Air list will also emphasize inhalation toxicity.

Proposal and Plan

The proposal seeks to accomplish several objectives:

1. Develop an adequate computer system to sort and analyze CMR data, including the ability to summarize discharges/emissions, wastewater flows, etc., the ability to arrange the data by geographic area, by specific substance, and by quantity of use, and the ability to statistically manipulate and analyze the data.

2. Develop a system to factor into the above data information from secondary sources -- e.g., APCP data, NPDES permits, State groundwater and air reports, non-confidential TSCA data, etc. In addition to helping verify CMR data, this objective will result in a central chemical information resource for the State.

3. Using all these data, identify potential toxic substances problems and conduct needed in-plant investigations and field surveys to confirm or eliminate them as problems.

4. As needed, initiate and conduct programs to control or eliminate sources of contamination, and advise the public of "health-impacting situations."

Although a two-year project costing $504,500 was originally funded, Michigan has since requested a no-cost extension for a third year. Thus, the project will end in April 1982.

Michigan -- Interdepartmental Risk Assessment

Background

Michigan's regulatory agencies -- like those of many other States -- are forced to establish acceptable limits of exposure to toxic substances. Due to widespread contamination, high costs for clean-up and limited available resources, these same agencies are forced into setting priorities as to which contamination problems are to be addressed immediately, which are to be put off and which are to be ignored. These judgments are based intuitively on risk estimation.

The State has no formal risk estimation process. Instead, it relies on a series of value judgments which (1) vary from individual to individual and department to department, and (2) are not readily defensible in legal or administrative proceedings.

Risk assessment is Phase III of a triphasic program for controlling chemicals in the environment. Phase I, begun in 1977, involves hazard assessment, Phase II, data acquisition on toxic substances use and discharge/emission, is now in progress (partly funded by the TSCA assistance program), and Phase III would build on hazard and environmental loading information to assess risk.

Michigan was awarded $532,258 over two years to complete this project; final reports are expected in March 1983.

Proposal

The Michigan Departments of Natural Resources, Public Health and Agriculture have agreed to join their efforts to assess risk. Responsibilities for the three agencies were proposed to be divided thusly:

1. Natural Resources

   -- Establish data base on chemical fate in the environment

   -- Develop test protocols to be used to predict persistence, mobility and concentration

   -- Establish criteria for evaluating fate information

   -- Provide these data and technical expertise to those developing the risk assessment process

   -- Analyze use, discharge and environmental contamination data to identify areas needing detailed monitoring

2. Public Health

   -- Establish information base on risk assessment models; evaluate and suggest new or composite models for Michigan's purposes

   -- Direct development of the risk assessment process

   -- Conduct increased workplace monitoring

-- Conduct epidemiological studies of populations identified as potential high risk groups

3. Agriculture

-- Expand data-gathering capabilities for chemicals important to food and animal health

-- Identify areas where large quantities of restricted use pesticides are applied

-- Support risk assessment process development

-- Detailed monitoring of soils, crop residues in marketable crops and meat products.

During the first year, chemical fate information will be gathered and evaluated, existing models will be critiqued, and a formal risk assessment process will be developed. The second year will be devoted to testing the model(s) in high risk situations. High risk populations will be identified from:

-- Review of environmental contaminants data;

-- Increased occupational exposure data; and

-- Increased data on marketable food residues.

Ultimately, the final phase will be epidemiological studies of populations identified as being at the highest risk.

New Jersey

Background

New Jersey ranks third among the States in number of manufacturers and importers reporting for the TSCA inventory of chemicals in commerce, and first in number of different substances so reported. The State's tax structure and location near major transportation routes have made it a chemicals center for the nation. The State has the highest concentration of chemical industry and the nation's densest population. New Jersey ranks at or near the top for cancer death rates for whites and nonwhites of both sexes. Other prevalent conditions -- congenital abnormalities and some respiratory and circulatory diseases -- are also thought to be associated with chemical exposure.

Several units of the Department of Environmental Protection (DEP) are involved in the study and control of toxic substances. The Office of Cancer and Toxic Substances Research (OCTSR) is the lead group and is charged with identifying the sources, levels and effects of toxic substances in New Jersey, and with coordinating the Department's overall approach to their control. The Office of Hazardous Substances Control is charged with on-site response to hazardous substance spills and other emergencies, as well as ensuring the integrity of facilities using large quantities of dangerous substances.

The operating DEP line divisions develop, implement and enforce the Department's control efforts in the various environmental media.

In early 1978, OCTSR established the Toxic Substances Resource Center, a central housing for a sizable collection of reference works and data on toxic substances, their effects and their presence in the environment. The Center also has a computer listing of all industries in the State, with basic information on air and water pollution permits, and plans to acquire topographic maps marked with the locations of industry, landfills, water supply sites, etc.

The legislative authorities for these programs allow them to:

- -- Conduct research programs
- -- Conduct public information programs
- -- Monitor the environment
- -- Inspect premises
- -- Conduct registration programs for selected polluting activities
- -- Enforce statutes and regulations
- -- Clean up and remove pollutants which threaten public health or safety

Proposal and Plan

In their proposal, New Jersey sought to add to an existing program rather than create a new one. As a result, the

proposal is a compendium of specific projects designed to help the State fill program gaps. Seven such projects were proposed; all were funded in either 1979 or 1980. For simplicity, each project will be discussed in its own small sub-section.

1. Toxic Substances Investigation and Integration Unit. This Unit is to be charged with identifying, investigating and resolving toxic substances problems, and with coordinating problem-solving activities across divisional and agency lines. The Unit will be a field adjunct OCTSR program and will be involved in two types of activities:

   -- Investigating sites with a high probability of undiscovered contaminant problems

   -- Investigating known problems that either significantly affect health or the environment, require a multidisciplinary effort, or require a long-term commitment of staff and resources.

   The project was funded for three years at a total cost of $282,563; final reports are due in April 1982.

2. Movement, Distribution and Uptake of In-Place Mercury. The project will plan a comprehensive study of a highly contaminated (50-150 tons of mercury buried on a 30-acre site) part of the Hackensack Meadowlands, and also develop and evaluate alternatives for containing or cleansing the region. Two separate tasks are planned:

   -- A limited field study to determine the distribution of mercury in the entire Meadowlands area and the extent of mercury contamination

   -- Design, with the help of national and international mercury experts, a research and monitoring program to

--- determine the concentration, rates and mechanisms controlling movement of the mercury

--- develop a model for predicting the effects on the distribution and movement of mercury caused by changes in biological and physiochemical parameters

--- identify other mercury sinks in the area

--- develop/evaluate contaminant and clean-up proposal

--- develop a proposal for future monitoring efforts in the region

The project was funded for eighteen months at a cost of $69,317. The final product is expected in March 1982.

3. Broad Spectrum Analysis of Volatile Organics in Air. Based on a USEPA-funded study of volatile organics in air, OCTSR has established a program to qualitatively and quantitatively analyze 25 toxic substances (including 6 metals and 19 volatile organics) in the atmosphere. This project proposes to complement the existing program by conducting broad-spectrum analyses of air samples from around the State. The State will purchase a mobile monitoring unit equipped with a gas chromatograph/mass spectrometer. These analyses will serve three purposes:

-- to identify unknown peaks found in routine samples and to provide a quality assurance check for measured levels of compounds presently being analyzed

-- to survey State air quality, with an eye toward identifying sites that require intensive follow-up in their routine monitoring program

-- to characterize volatile hydrocarbon contaminants of the atmosphere in cases of major chemical incidents, landfill fires, etc.

The project was funded for three years at a total cost of $171,384; final products are expected in April 1982.

4. Emissions Monitoring for Selected Toxic Substances. In order to better understand the sites and levels of toxic substances contamination, New Jersey established in 1976 a program to survey industry to determine the extent and manner in which selected chemicals are used in the State. Existing monitoring programs, because they are designed to evaluate the release of whole classes of compounds (e.g., hydrocarbons, particulates), cannot provide needed information on individual chemicals.

Therefore, New Jersey proposed to establish an analytical monitoring program to verify and supplement the industry survey. Sampling sites will be chosen to complement engineering surveys being conducted to estimate the best emission levels currently possible. The work will also be integrated with the Department's regulations to limit volatile organics emissions and its recommendations for stack testing procedures.

The project was funded for three years at a total of $205,679; final products are expected in April 1982.

5. Assessment of Ecological Effects of Water Contaminants. Preliminary results from 1,170 samples of well water throughout the State have indicated that:

-- Several public supply wells are sufficiently contaminated to require their being taken out of service

-- A number of industrial wells are potential threats to aquifer purity

-- Surface waters upstream from major potable water intakes show potentially serious contamination

In addition, aquatic organism tissue analyses have shown PCB's in fish and metals in fish and invertebrates.

This project proposes that OCTSR, in conjunction with other DEP units, the Department of Health, local citizens' groups, environmental commissions and area colleges, identify several high priority areas for intensive follow-up study. More in-depth sampling will be based on a plan tailored to the specific sites. Some sites will be subjected to an environmental analysis, including identification of species, estimates of populations, species diversity analyses, enzyme assays of particular species, physiological measurements affected by stress, and studies of behavioral traits known to be related to chemical substances.

The project was funded for three years at a total cost of $226,867; final products are expected in September 1983.

6. Toxic Substances Information Resource Center. In order to (a) allow all State agencies, local agencies, environmental groups, industries, unions and the general public to be reasonably up-to-date in the many disciplines that comprise the toxic substances area, (b) allow the integration of many pieces of information from diverse sources into a form useful to policy and decision executives, and (c) provide rapid and concise information during emergency situations, OCTSR has gathered an extensive collection of documents and has acquired the UPGRADE system. Even so, the State has found if difficult to provide concise, timely information for the above purposes.

Therefore, the State proposed to establish a Toxic Substances Information Resource Center. Major resources to be included in the Center are:

-- Conventional library materials plus a specialized reference and journal collection

-- Externally generated documents on toxic substances

-- Internally generated documents, maps and special items

-- An automated data base build around UPGRADE

-- On-line computer information retrieval systems

--- Medline
--- Toxline
--- Chemline
--- OHMTADS
--- DIALOG (possible)
--- Other government and private systems

-- An on-line computerized catalog of the Center's Collection with extensive cross-referencing by (at least) chemical, media and effect.

The project was funded for two years at a total cost of $109,108; final reports are expected in December 1982.

7. Field Application of In Vitro Mutagenesis Tests. At the time the proposal was prepared, OCTSR had spent more than a year in selecting bioassay systems and techniques and in applying these systems to aggregate environmental samples. The working hypotheses of the program are (a) it is more important to know the effects of an actual environmental situation (including synergism) than to know the effects associated with a single substance, (b) short-term biological tests are cheaper than detailed chemical analyses, and (c) biological tests will identify a chemical that is an as-yet-unknown carcinogen.

New Jersey's proposal to operate a biological testing program has five basic components:

-- The analysis of 140 samples of industry effluents and landfill leachates using previously developed microbial and mammalian cell techniques, with a goal of identifying regions contaminated by carcinogens and mutagens

-- Following up on positive results to try to (1) determine the chemical constituency of the sample, (2) define the boundaries of the contaminated region, and (3) locate the sources of contamination

-- Testing selected effluents to locate, evaluate and monitor emissions of particular concern

-- Developing In Vitro tests as a regulatory tool to control hazardous effluents

-- Integrating In Vitro testing with DEP chemical analyses for environmental contaminants and compliance monitoring of industrial effluents

The project was funded for three years at a total cost of $183,082; final reports are expected in January 1984.

New York

Background

New York ranks fourth among the States in number of manufacturers and importers reporting for the TSCA inventory of chemicals in commerce, and second in number of different substances so reported. Lying between the Atlantic Ocean and the Great Lakes chain, being near major highway and rail lines, and having the East Coast's major importing/exporting center, the State is heavily involved in the nation's chemicals business.

Major toxic substances incidents in the State include: chemical waste dumps (e.g., Love Canal) in Niagara and Erie Counties; mercury contamination of fish from Lake Onondaga; PCB contamination of the Hudson River; and contamination of sole source aquifers on Long Island by various chlorinated hydrocarbons. The State has the highest cancer mortality rate in the country for white females, and among the highest for other race/sex groups.

The Department of Environmental Conservation (DEC) has instituted a toxic substances program based on three major projects:

-- An Industrial Chemical Survey that pinpoints chemical use by industry, county and watershed;

-- A Statewide program to monitor fish flesh for heavy metals and chlorinated organic compounds; and

-- A Trackdown Program to locate the source of a toxic substances pollution release to a water body.

To integrate this strategy, the DEC created a new Office of Toxic Substances in November 1978. This Office will have leadership, coordinating, strategy development, planning and support services roles; implementation of the strategy will take place in other DEC program offices. The new Office will also define local and State government roles in toxic substances management. DEC has a broad array of monitoring and regulatory authorities available to it.

Proposal and Plan

New York submitted a proposal with two major projects:

-- A pilot program to identify, characterize and plan for the management of toxic substances; and

-- Management of toxic substances in fish: Mercury in smallmouth bass from Cranberry Lake.

The State was awarded $348,000 for the first project; the second was considered in 1979 and again in 1980, but was not funded.

The funded project has two main goals: (1) to develop procedures for best locating contamination sources, for defining the nature and extent of the problem, and for developing management techniques to address problems; and (2) to examine current

State/local government agreements in both a highly industrialized and a rural county in order to develop ways in which these agreements can be used to tackle local toxic substances problems.

Generally stated, the project will screen the aquatic environment for toxic organic chemicals, test downstream sediment, via the Ames and other tests, for effects activity, assign relative priorities to identified problems, carry out field investigations to track down, localize and define the problem, and devise a management plan to control it.

More specifically, the project has the following objectives:

-- Develop sampling protocol and provide lead-time samples

-- Develop and validate a practical screening method based on total organic halogen (TOH)

-- Develop and validate a practical screening method based on mutagenic activity

-- Identify potential toxic substances problems in Erie (industrialized) and Columbia (rural) Counties

-- Determine areas in both counties where TOH's and mutagenic activity are and are not present

-- Rank problem areas in both counties

-- Assess the nature, impact and extent of the priority problems in both counties

-- Develop management plans for each priority problem

-- Develop a Statewide program to identify, assess and manage toxic substances problems

Final results are due in April 1982.

North Carolina

North Carolina ranks twelfth among the States in number of manufacturers and importers reporting for the TSCA inventory of chemicals in commerce, and eleventh in number of different substances so reported. As a highly agricultural State and a center for the dye, textile and furniture industries, North Carolina is a southern center of chemicals trade.

The State asserts in its proposal that prevention of toxic substances problems is their goal. While North Carolina has had a few chemical incidents (most notably, the illegal dumping of PCB's along a roadway), their concern is that burgeoning industry will invariably lead to serious situations -- situations for which they are not well prepared.

Accordingly, the Governor established, under the leadership of his Senior Science Advisor, an interagency coordinating body to focus directly on toxic substances. Participating departments include: Justice; Agriculture; Crime Control and Public Safety; Human Resources; Labor; and Natural Resources and Community Development. The interagency group also includes members of the research community. The subgroup to be formed to spearhead the program proposed in the application is called the Interagency Toxic Substances Group (ITSG).

North Carolina proposed a program to identify, assess and control toxic substances in the State. In April 1980, the State was awarded a two-year grant totalling $385,000.

Proposal

The State proposed to establish the program in three phases:

Phase I

1. Merge information contained in the TSCA Inventory of Chemicals in Commerce (only the non-confidential portion) with that of the NIOSH Occupational Hazard Survey and the State list of manufacturers. Information thus assembled will include chemical identity, manufacturers/users, location of manufacture/use, volume produced, and known effects data.

2. The thus-formed Comprehensive State Inventory will be ordered on the basis of available and easily accessed data; many chemicals will be excluded from further consideration.

3. A brief information summary of documented effects, natural occurrence, use and regulatory status will be prepared for the 1,000 highest ranking chemicals. Based on these summaries, a manageable list (perhaps 30) of chemicals of highest concern will be selected.

4. A data management system will be assembled.

5. Recommendations for further work to be accomplished later will be made.

Phase II

1. Develop and validate exposure estimation methodology.

2. Select dispersion models for each medium.

3. Assess potential health effects (hazard data combined with route of entry, level and duration of exposure, etc.).

Phase III

1. Establish and maintain good working relationships with relevant departments -- particularly those on the interagency coordinating body.

2. Plan and implement public participation strategies.

3. Devise procedures for determining and factoring into the process beneficial aspects of chemicals use.

4. Draft policies and procedures to control substances for which adverse effects significantly exceed benefits.

5. Plan and recommend organizational and procedural changes needed to ensure the adoption and execution of control policies.

Due to difficulties in obtaining the services of the Project Coordinator, North Carolina has requested a four-month, no-cost extension of the agreement; final reports are due in July 1982.

Ohio

Ohio ranks fifth among the States in number of manufacturers and importers reporting for the TSCA inventory of chemicals in commerce, and fourth in number of different substances so reported. As a large agricultural State and a major transportation conduit between the East and the Midwest, Ohio has large amounts of chemicals transported through and stored in the State.

The State has the largest acrylonitrile-butadiene-styrene plant in the country and a major acrylonitrile producer. The application cites studies by Dow Chemical and Dr. Maltoni contending that acrylonitrile is a known animal carcinogen. In 1972, a citizens' task force recommended creating a single agency responsible for protecting Ohio's land, water and air. Later that year, the Ohio General Assembly created the Ohio EPA. The Agency closely reflects Federal pollution statutes in that it is organized into four offices -- one each for the Clean Air Act, the Resource Conservation and Recovery Act, the Clean Water Act and the Safe Drinking Water Act.

The Office of Emergency Response, a staff office to the Assistant Director of the Agency, has, because of its responsibilities to respond to and clean up hazardous material spills, a broad range of knowledge and experience in the toxicity and control of chemicals. This office has been designated as the lead office for Ohio's proposal. A contributing

agency, the Department of Health, has an established Chronic Disease Epidemiology Surveillance Unit; among its other charges, the Unit is responsible for cancer surveillance.

Ohio has broad powers to study, investigate and control chemicals in air and water, and the authority to establish a cancer surveillance program.

Proposal

The objective of the proposal is to establish a surveillance of cancer mortality in industrialized areas of the State where acrylonitrile (AN) is produced or used in a manufacturing process. Three plants have been selected for the study -- Vistron Corporation in Lima, Monsanto Corporation in Addyston, and Dow Chemical/Hanging Rock in Ironton.

The proposed study has three stages:

1. Verification of areas and populations at risk (estimated to be roughly 27,000 persons living within defined parameters in the vicinity of the plants);

2. Gathering information from Department of Health death certificate tapes and hand-picking death certificates to determine specific residence; and

3. Examining and statistically analyzing the data; to test the differences between observed and expected deaths, the Mantel-Haenszel procedure will be used, along with chi squares when the difference exceeds five percent.

After the funded study is completed, Ohio will conduct epidemiological and environmental monitoring follow-up efforts, including the use of bioluminescent bacteria to test for AN's acute toxicity and the use of small mammal and bird tissue samples to help establish the ambient exposure of humans without testing human tissues. In addition, Ohio will also produce a comprehensive collection of existing information on acrylonitrile.

In order to complete the proposed study, Ohio was awarded a two-year grant totalling $180,512; final products are expected in March 1983.

Puerto Rico

Puerto Rico ranks forty-first in number of manufacturers and importers reporting for the TSCA inventory of chemicals in commerce, and thirty-seventh in numbers of different substances so reported. Although not a major chemicals center, the Commonwealth's very dense population distribution makes it a prime source for widespread effects from exposure to dangerous substances. In the last decade, Puerto Rico's economic development plan has attracted the chemical, petrochemical and pharmaceutical industries. In 1976, the Commonwealth exported to the United States nearly $1.5 billion worth of these commodities.

This dramatic increase in industry, when coupled with a population density of 939 persons per square mile and an accelerating trend toward urbanization (88 percent by the year 2000), is creating a situation whereby chemical incidents could each have far greater effects than in less populous areas. A few such incidents -- mercury, chlorine, oil spills -- and their resultant effects are documented in the application.

The current toxic substances control effort is a mix of media-specific Commonwealth and Federal programs. Three agencies -- the Departments of Health and Agriculture and the Environmental Quality Board -- operate these programs.

Under the Commonwealth's Public Policy Environmental Act, the Environmental Quality Board (EQB) is empowered to use the following authorities to deal with air, water and land pollution: develop policies, plans, programs; regulate; study; enforce; inspect; monitor; issue permits; and monitor compliance plans. In addition, the EQB may implement outreach programs to inform the public and, later, obtain their thoughts about Commonwealth plans, policies and programs.

Proposal and Plan

Puerto Rico proposed to develop and implement an integrated toxic substances control strategy and coordination mechanism. Their proposal has three major projects:

1. Strategy development

   -- Inventory water supplies, recharge areas, environmentally sensitive areas, etc.

   -- Inventory and characterize sources of toxic discharges (municipal and industrial water discharges, solid waste disposal sites, non-point sources, stationary and mobile sources, etc.)

   -- Identify and seek to satisfy data needs

   -- Review current program responsibilities and identify coordination requirements

-- Review and modify existing monitoring programs

-- Review enforcement authorities

-- Recommend needed additional legislation

-- Establish procedures and guidelines for coordination of Commonwealth agency programs

-- Organize a special Governor's Task Force

-- Develop a toxic substances priority list and mold it into permit reviews, waste disposal recommendations and environmental emergency procedures.

-- Resolve top priority toxic substances problems

2. Response to imminent endangerment

-- Develop pollution incident prevention plan

-- Specify monitoring protocols for use in determining when the incident no longer poses an imminent threat

-- Clarify decision authorities in cases of interdepartmental disagreements

-- Clarify Commonwealth vs. district vs. local roles

3. Public involvement

-- Establish "hot line" for public inquiries

-- Develop information center for public use

-- Provide for early public consultation during strategy development

-- Conduct public hearings on proposed regulations

-- Develop public information program relying on radio, television, press releases, pamphlets, newsletters, etc.

To accomplish these projects, Puerto Rico was awarded $258,394 for a three-year period; final reports are due in March 1983.

Wisconsin

Wisconsin ranks seventeenth among the States in number of manufacturers and importers reporting for the TSCA inventory of chemicals in commerce, and twenty-second in number of different substances so reported. Since the State is a national center for the dairy industry, it acts as a transport hub for major human food chain products.

The toxic substances problems presented in Wisconsin's application include: illnesses related to in-home exposure to formaldehyde vapors from foam insulation and/or particleboard; illnesses related to unregulated liquid manure systems; contamination of State waterways by, among others, arsenic and PCB's; and suspected contamination of wells by a nearby Milwaukee landfill.

Wisconsin established an Environmental Epidemiology program in late 1977; the program is charged to identify, investigate and act to alleviate the effects of toxic substances on the public or the worker. Since this program is new, no details were provided on intra- and interdepartmental cooperative arrangements. Supporting the program are statutes allowing investigations, inspections, studies, experiments, surveys, research and (very broadly stated) control activities, as well as a mandatory cancer reporting system.

Proposal and Plan

Wisconsin submitted a four-part proposal:

-- Expansion of formaldehyde vapor-related health problems study

-- Provision of diagnostic and laboratory services to the model environmental epidemiology program

-- Development of a computerized cancer and birth defects surveillance system

-- Development of a rapid access information retrieval system for program reference files

In April 1979, Wisconsin was awarded $202,847 to conduct a three-year study of formaldehyde vapor-related health problems. The other three parts of the application were considered in 1979 and not funded; the State withdrew them before they could be reconsidered in 1980.

The formaldehyde study is divided into four parts:

1. Study research design and statistical analysis -- based on records of mobile home sales and predictions of which homes would expose residents to high levels of formaldehyde, a random sample of 147 high-exposure and low-exposure mobile homes in three Health Service Areas will be drawn. Residents will be asked to complete a health questionnaire and to participate in a clinical examination. Approximately 300 people are involved in the study. All homes will have their formaldehyde levels measured at least monthly for a minimum of six months. Levels and health data will be analyzed to explore the hypothesis that high levels yield more illnesses.

2. Formaldehyde vapor concentration -- Intensive data collection, including in-home and in-park sampling, home construction and other characteristics will begin.

3. Health effects questionnarie -- Each participant will complete a monthly health questionnare. All were asked to fill out an extensive personal health history.

4. Clincal evaluation -- an evaluation of factors determined to be significantly related to formaldehyde exposure or exhibiting a dose/response relationship will be completed.

The project is scheduled to be completed in April 1982.

APPENDIX I

Program Announcements Published in the Federal Register

federal register

MONDAY, AUGUST 28, 1978

[FRL 954-3; OTS-280002]

TOXIC SUBSTANCES CONTROL

Availability of Funds for Cooperative Agreements With States

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability of funds for cooperative agreements with States.

SUMMARY: The Environmental Protection Agency (EPA) proposes, under authority of the Toxic Substances Control Act (TSCA), to fund a limited number of toxic substances control cooperative agreements during fiscal year 1979, subject to the availability of funding. Such funds will be awarded to States for the establishment and operation of projects leading to the prevention or elimination within the States of unreasonable risks to health or the environment which are associated with a chemical substance or mixture and with respect to which the Administrator is unable or is not likely to take action for their prevention or elimination under TSCA.

EFFECTIVE DATE: August 28, 1978.

FOR FURTHER INFORMATION CONTACT:

Walt Mardis, Office of Program Integration and Information, Environmental Protection Agency, Room E713 (TS-793), 401 M Street SW., Washington, D.C. 20460, 202-755-4880 or 202-755-8040.

SUPPLEMENTARY INFORMATION: Applicants will be eligible for funding only if a priority need is demonstrated, as determined under Office of Toxic Substances guidelines (see below). Eligibility for funding will, in part, be based upon: the seriousness of the human health effects in a State which are associated with chemical substances or mixtures, including cancer, birth defects, and gene mutations; the extent of the exposure in a State of human beings and the environment to chemical substances and mixtures; and the extent to which chemical substances and mixtures are manufactured, processed, distributed, used, and disposed of in a State. Other factors, such as long-term impact,

transferability to other States, likelihood of project success, and potential benefit compared to cost, will also be considered.

These cooperative agreements will be subject to the provisions of EPA's general grant regulations (40 CFR Part 30) and to special conditions to be set forth in each agreement signed by the Governor of a State or his duly authorized representative and EPA. Federal assistance will be awarded only once under the present TSCA authorization to each approved applicant. A total of approximately $3 million is expected to be available in fiscal year 1979 to fund these cooperative agreements. The State's matching contribution must be at least 25 percent ot the total cost of the program.

Information regarding application submission, evaluation criteria, and other pertinent requirements are contained in the document "Office of Toxic Substances Guidelines for State Agencies To Use in Submitting Applications for Financial Assistance for State Toxic Substances Control Projects," as set forth below. Applications must be submitted to the Environmental Protection Agency, Grants Administration Division (PM-216), Washington, D.C. 20460, by (90 days from date of this notice) in order to be considered eligible for the first set of awards. A copy of the application should be sent to the appropriate EPA Regional Office. However, applications submitted within 6 months after (90 days from date of this notice), but not accepted for funding in the initial selection process, will be considered for subsequent funding in a second selection process.

Cooperative Agreements and Enforcement

EPA intends to make available additional funds to support cooperative agreements with States for compliance monitoring under TSCA. A notice describing this program and application procedures will appear in the Federal Register in the near future.

States will be eligible for compliance monitoring funds regardless of application submitted or funds awarded under this notice. If EPA deems proposals submitted under the two notices to be sufficiently related, the State may submit a single application and provide integrated administration for both.

Dated: August 17, 1978.

Marilyn C. Bracken,
Acting Assistant Administrator for Toxic Substances.

Office of Toxic Substances

Guidelines for State Agencies To Use in Submitting Applications for Financial Assistance for State Toxic Substances Control Projects

I. Purpose

The Office of Toxic Substances (OTS), under authority of the Toxic Substances Control Act (TSCA) will implement a program of financial assistance to States during fiscal year 1979 (FY 79) in the form of cooperative agreements to enable selected States to develop and implement projects to prevent or eliminate unreasonable environmental and health hazards posed by toxic substances. These unreasonable hazards must be of a kind which EPA is unable to, or not likely to, control under TSCA.

II. Eligibility

To be eligible for award of funds under the toxic substances control cooperative agreement program, a State must meet the following criteria in order of importance.

A. Need. An applicant must establish a priority "need" based upon evidence of: The occurrence or likely occurrence of serious human health effects, including cancer, birth defects, or gene mutation, which are known to be, or suspected of being associated with human exposure to chemical substances or mixtures arising from the manufacture, processing, distribution, use and disposal of such substances or mixtures in the State.

The lack of adequate data makes it impossible to use a single standard to measure this "need." While data contained in such publications as the National Cancer Institute's study, *U.S. Cancer Mortality by County*, and *Mortality Tables of the Vital Statistics of the United States (1976)*, indicate deaths which may be related to chemical production, use or disposal in the past, such tables are not predictive of mortality and morbidity which will occur in the future as a result of current exposure. In cases where epidemiological data are lacking, and a chemical is believed to cause a particular health effect (e.g., cancer), applicants may use publications such as the *County Business Patterns Data*, prepared by the Bureau of Census in conjunction with the Office of Management and Budget, which provides a statewide overview of chemical production.

Applicants should plan, therefore, to use data from the above mentioned sources, or from other verifiable sources, to prove stated need. EPA Regional Offices will be responsible for corroborating the validity of State data relating to need.

Because of the imprecise nature of the data, it is not possible to rank the States numerically; instead, grouped categories will be established on the basis of apparent need. Those States demonstrating the greatest need will be given highest priority; those whose demonstrated need is somewhat less will be given lower priority.

B. Legislative authority. A State must have enacted enabling legislation which empowers it to conduct the specific activities it proposes to conduct under the cooperative agreement. In some cases, such legislation may specifically address itself to control of toxic substances. In other cases, such legislation may be phrased in more general terms, dealing, for example, with the preservation of public health. The application should in any event, cite the relevant provisions in State law and regulations.

C. Program in place. State organizations or legislation needed to achieve the intended results should exist and be functioning. The application must identify the agency or agencies of the State which will establish or operate, or both, the project(s) for which the application is submitted.

D. Actions proposed and priorities. The application must describe in detail the actions proposed to be taken under such project(s) in accordance with these guidelines, and must state the priority for each action. The likelihood of success in implementing the project along proposed lines and the project's potential benefit compared to cost must be demonstrated.

E. Long term impact. The application must establish the potential of a cooperative agreement for long term beneficial impact upon human health and the environment of development and implementation of a toxic substances control program. If a State can demonstrate a potential for transferability of its techniques and approaches to other States, this will be given additional favorable consideration. "Transferability" here denotes the possibility that other States could utilize for their own benefit innovative and/or effective techniques and approaches, developed as a result of a cooperative agreement between a State and EPA, for better controlling potential hazards to human health and the environment of chemical substances and mixtures.

F. Project coordination. The application must contain satisfactory assurances that such projects will be coordinated with other projects of the State government for environmental and public health protection. A signed statement of intent to this effect

should be submitted by prospective participants in the project.

G. *OMB Circular A-95.* Applicants must comply with all applicable requirements of Office of Management and Budget (OMB) Circular No. A-95 under section 30.305 of the EPA General Grant Regulations.

H. *Reports.* The application must provide for the making of a comprehensive annual progress report, which will be required under the special cooperative agreement conditions.

III. Program Activities Included in a Toxic Substances Control Cooperative Agreement

The applicant must demonstrate his plans for solving or alleviating problems of human health and the environment, associated with toxic substances and mixtures, against which the Administrator is unable or unlikely to take action under TSCA. For example, if exposure to a chemical substance is limited to a particular geographic area or if action at the State level is more appropriate than Federal action, EPA would be less likely to act. If a question arises with an applicant as to whether EPA is likely to take action against such problems, the applicant should contact the OTS as indicated below for advice.

Cooperative agreement funds shall not be used to pay for clean-up costs of specific toxic substances problems, nor for compensation in payment of damages suffered as a result of a toxic substances problem. Rather, applicants should stress the development of innovative and/or effective techniques for control of toxic substances, as well as new sources of information on problems caused by toxic substances and steps which might be taken to solve or alleviate them. In reviewing applications for cooperative agreements, EPA will, as indicated above, be examining the potential transferability to other States of the techniques and approaches to be developed as a result of the agreements.

Applications must include a statement, signed by a duly authorized representative of the Governor, concerning State plans for continuation of program activities beyond the period of Federal funding. No additional funding in support of this program beyond fiscal year 1979 will be made available to States without new congressional authorization.

Cooperative agreement program funds may be used to pay salaries and other benefits for personnel performing data gathering, rulemaking, monitoring, analytical, or managerial functions relating to cooperative agreement activities, and to reimburse travel and per diem expenses of personnel which are directly attributable to the performance of such activities. Program funds may also be used for such costs as purchasing supplies and equipment, including laboratory equipment for monitoring and testing purposes when these supplies and equipment are an integral part of the funded project. The application should specify the amounts and purposes of the above costs to be charged to the project.

IV. Program period

In planning their project(s), applicants should bear in mind that agreement funds do not have to be disbursed in their entirety within fiscal year 1979. However, EPA expects that all such funds will be disbursed within a 3 year period following award of the cooperative agreement, with the understanding, of course, that the awards will not be repeated under the present TSCA authorization.

V. Cost sharing

The States shall provide at least 25 percent of the approved project costs. The States' share may be reflected in allowable direct or indirect costs.

VI. Submission of applications

Applications for Federal assistance may be submitted by State agency(ies) responsible for State activities in the toxic substances control area. States interested in receiving toxic substances control cooperative agreements should submit EPA Form 5700-33, Application for Federal Assistance, to the Environmental Protection Agency, Grants Administration Division (PM-216), 401 M Street SW., Washington, D.C. 20460, by [90 days following publication of this notice in the FEDERAL REGISTER] in order to be considered eligible for the first set of awards. A copy of the application should be sent to the appropriate EPA Regional Office. States submitting applications after this date may jeopardize their chances of receiving toxic substances control cooperative agreement funds in the first distribution of awards.

VII. EPA actions on applications

A review panel will be constituted at EPA Headquarters with Regional Office representation. This panel will initially review all applications submitted within 90 days following publication of this notice in the FEDERAL REGISTER, and will make the final determination of which States will receive awards within 45 days following the submission deadline. It is anticipated that the number of cooperative agreements to be funded under this program will range between 6 and 10. Except in unusual circumstances, the amount of each cooperative agreement will range between $100,000 and $500,000. Awards will be transmitted to States within 45 days following final determination.

Approximately one-half of all cooperative agreement funds available under this program will be obligated to those States whose applications receive favorable consideration in the first review. Funding will be based strictly on merit as determined in accordance with the eligibility criteria as set forth above.

After [9 months following publication of this notice in the FEDERAL REGISTER], EPA will review all unfunded applications submitted up to that time in a second selection process in order to obligate the remaining cooperative agreement funds. States not receiving awards following this review will have to seek funding assistance elsewhere.

The awards will be made by EPA Headquarters. However, the Regional Administrator or his designee will serve as Project Officer for the administration of the cooperative agreement and will be responsible for overseeing State performance. Further information concerning toxic substances control cooperative agreements may be obtained by contacting the appropriate EPA Regional Office or the Office of Toxic Substances, EPA, 401 M Street SW., Washington, D.C. 20460. The OTS contact is Walt Mardis, telephone 202-755-4880 or 202-755-8040.

[FR Doc. 78-24192 Filed 8-25-78; 8:45 am]

federal register

Monday
February 11, 1980

Part V

Environmental Protection Agency

Pesticides and Toxic Substances; Availability of Funds for Cooperative Agreements With States

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ENVIRONMENTAL PROTECTION AGENCY

[OPTS-280003; FRL 1410-6]

Pesticides and Toxic Substances; Availability of Funds for Cooperative Agreements With States

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability of funds for cooperative agreements with States.

SUMMARY: EPA announces the availability of funds for a limited number of toxic substances control cooperative agreements during fiscal year 1980. Such funds will be awarded to States for the establishment and operation of projects leading to the prevention or elimination within the States of unreasonable risks to health or the environment which are associated with a chemical substance or mixture and with respect to which the Administrator is unable or is not likely to take action for their prevention or elimination under the Toxic Substances Control Act (TSCA).

EFFECTIVE DATE: February 11, 1980.

FOR FURTHER INFORMATION CONTACT: John B. Ritch, Jr., Director, Industry Assistance Office (TS-799), Office of Pesticides and Toxic Substances, EPA, 401 M Street, S.W., Washington, D.C. 20460. In Washington, D.C., phone: (202) 554-1404. The toll-free telephone number is 800-424-9065.

SUPPLEMENTARY INFORMATION: Applicants will be eligible for funding only if a priority need is demonstrated, as determined under Office of Pesticides and Toxic Substances guidelines (see below). Eligibility for funding will, in part, be based upon: the seriousness of the human health effects in a State which are associated with chemical substances or mixtures, including cancer, birth defects, and gene mutations; the extent of the exposure in a State of human beings and the environment to chemical substances and mixtures; and the extent to which chemical substances and mixtures are manufactured, processed, distributed, used, and disposed of in a State. Other factors, such as long-term impact, tranferability to other States, likelihood of project success, and potential benefit compared to cost will also be considered.

These cooperative agreements will be subject to the provisions of EPA's general grant regulations (40 CFR Part 30) and to special conditions to be set forth in each agreement signed by the Governor of a State or his duly authorized representative and EPA. Federal assistance will be awarded only once under the present TSCA authorization to each approved applicant. A total of approximately $1.25 million is expected to be available in fiscal year 1980 to fund these cooperative agreements. The State's matching contribution must be at least 25 percent of the total cost of the program.

Information regarding application submission, evaluation criteria, and other pertinent requirements are contained in the document "Office of Pesticides and Toxic Substances Guidelines for State Agencies To Use in Submitting Applications for Financial Assistance for State Toxic Substances Control Projects," set forth below. Applications must be submitted to the Environmental Protection Agency, Grants Administration Division (PM-216), Washington, D.C. 20460, by May 12, 1980 in order to be considered eligible for award. A copy of the application should be sent to the appropriate EPA Regional Office.

Dated: January 30, 1980.

Steven D. Jellinek,

Assistant Administrator for Pesticides and Toxic Substances.

OFFICE OF PESTICIDES AND TOXIC SUBSTANCES

Guidelines for State Agencies To Use in Submitting Applications for Financial Assistance for State Toxic Substances Control Projects

I. Purpose

The Office of Pesticides and Toxic Substances (OPTS), under authority of TSCA, will implement a program of financial assistance to states during fiscal year 1980 (FY 80) in the form of cooperative agreements to enable selected States to develop and implement projects to prevent or eliminate unreasonable environmental and health hazards posed by toxic substances. These unreasonable hazards must be of a kind which EPA is unable or not likely to control under TSCA.

II. Eligibility

To be eligible for award of funds under the toxic substances control cooperative agreement program, a State must meet the following criteria (listed in order of importance).

A. *Need.* An applicant must establish a priority "need" based upon evidence of the occurrence or likely occurrence of serious human health effects, including cancer, birth defects, or gene mutation, which are known to be or suspected of being associated with human exposure to chemical substances or mixtures arising from the manufacture, processing, distribution, use and disposal of such substances or mixtures in the State.

Because of the imprecise nature of the data, it is not possible to rank States numerically. Instead, group categories will be established on the basis of apparent need. States demonstrating the greatest need will be given highest priority; those whose demonstrated need is somewhat less will be given a lower priority.

B. *Legislative authority.* A State must have enacted enabling legislation that empowers it to conduct specific activities proposed for the cooperative agreement. In some cases, such legislation may specifically address itself to control of toxic substances. In other cases, legislation may be phrased in more general terms, dealing, for example, with the preservation of public health. The application should, in any event, cite the relevant provisions in State law and regulation.

C. *Program in place.* State organizations or legislation needed to achieve the intended results should exist and be functioning. The application must identify the agency or agencies of the State which will establish or operate, or both, the project(s) for which the application is submitted.

D. *Actions proposed and priorities.* The application must describe in detail the actions proposed to be taken under such project(s), in accordance with these guidelines, and must state the priority for each action. The likelihood of success in implementing the project along proposed lines and the project's potential benefit compared to cost must be demonstrated.

E. *Long-term impact.* The application must establish the potential for long-term beneficial impact on human health and the environment of developing and implementing a toxic substances control program. If a State can demonstrate a potential for transferability of its techniques and approaches to other States, this will be given additional favorable consideration. "Transferability" here denotes the possibility that other States could utilize for their own benefit innovative and/or effective techniques and approaches for better controlling potential hazards to human health and the environment developed as a result of a cooperative agreement between a State and EPA.

F. *Project coordination.* The application must contain satisfactory assurances that such projects will be coordinated with other projects of the State government for environmental for

environmental and public health protection.

G. *Public Participation.* Applicants are encouraged to involve the public in proposal development, EPA-funded activities, and strategic and regulatory decision-making.

H. *OMB Circular A-95.* Applicants must comply with all applicable requirements of Office of Management and Budget (OMB) Circular No. A-95 under 40 CFR 30.305.

I. *Reports.* The application must provide for preparing a comprehensive annual progress report which evaluates the progress of the project.

III. Program Activities Included in a Toxic Substances Control Cooperative Agreement

The applicant must demonstrate his plans for solving or alleviating human health and environmental problems associated with toxic substances and mixtures and with respect to which the Administrator is unable or unlikely to take action under TSCA. For example, if exposure to a chemical substance is limited to a particular geographic area, or if action at the State level is more appropriate than Federal action, EPA would be less likely to act. If a question arises with an applicant as to whether EPA is likely to take action against such problems, the applicant should contact OPTS as indicated below for advice.

Cooperative agreement funds shall not be used for pay for clean-up costs or for compensation in payment of damages suffered as a result of a toxic substances problem. Rather, applicants should stress the development of innovative and/or effective techniques for control of toxic substances, as well as new sources of information on problems caused by toxic substances and steps which might be taken to solve or alleviate them. In reviewing applications for cooperative agreements, EPA will, as indicated above, be examining the potential transferability to other States of the techniques and approaches to be developed as a result of the agreements.

Applications must include a statement, signed by the Governor or his duly authorized representative, concerning State plans for continuation of the program activities beyond the period of Federal funding. No additional funding in support of this program beyond fiscal year 1980 will be made available to States without new congressional authorization.

Cooperative agreement program funds may be used to pay salaries and other benefits for persons gathering data, making rules, monitoring, performing analyses, or managing functions related to cooperative agreement activities, and to reimburse personnel travel and per diem expenses that are directly atttributable to the performance of such activities. Program funds may also be used for such costs as purchasing supplies and equipment, including laboratory equipment for monitoring and testing purposes, when these supplies and equipment are an integral part of the funded project. The application should specify the amounts and purposes of the above costs to be charged to the project. In order to provide additional guidance, listed below are brief summaries of awards made to date.

1. Maryland: $230,935 to develop a toxic substances registry. The project will expand Maryland's existing inventory to a more comprehensive registry of toxic substances by physical site and quantity, providing information on manufacture, consumption, and disposal.

2. Michigan: $504,500 to develop a Critical Materials Program. The project will identify potential toxic substances problems through analysis of data available in Michigan's Critical Materials Reports, Air Priority Chemicals Reports, and other sources of information.

3. New Jersey: $453,947 to (a) develop a Toxic Substances Investigation and Integration Unit, and (b) expand a current project to monitor volatile organic compounds in air. The former project will create a unit charged with identifying, investigating, and resolving toxic substances problems, and with integrating problem-solving activities across divisional and agency lines. The latter program is to complement a present program for air monitoring for toxic substances with analyses of air samples for a broad spectrum of volatile organics.

4. New York: $348,000 to develop a program to identify, characterize, and plan for the management of toxic substances problems. The project will determine optimum procedures for locating sources of toxic substances contamination, defining the nature and extent of the problem, and developing management techniques that will integrate State and local governments' responsibilities in a manner consistent with Federal programs.

5. Wisconsin: $202,847 to study health problems related to formaldehyde vapors emanating from mobile home construction materials. The project will identify, through epidemiological studies, health problems related to formaldehyde vapors emanating from mobile home construction materials. Wisconsin's effort will complement a Massachusetts study of problems related to formaldehyde vapors from insulation materials.

For further guidance and for assistance in proposal development, States are encouraged to contact their EPA Regional Toxic Substances Coordinator. (listed below)

Mr. Robert Dangel, Toxic Substances Coordinator, EPA Region I, Pesticide Branch, John F. Kennedy Federal Building, Boston, Massachusetts 02203 (617) 223-0585.

Mr. Wolfgang Brandner, Toxic Substances Coordinator, EPA Region VII, Pesticide Branch, 324 East 11th Street, Kansas City, Missouri 64106 (816) 374-3036.

Mr. Mike Bonchonsky, Toxic Substances Coordinator, EPA Region II, 26 Federal Plaza, New York, New York 10007 (212) 264-4296.

Mr. Chuck Sapp, Toxic Substances Coordinator, EPA Region III, Pesticide Branch, Curtis Building, 6th & Walnut Street, Philadelphia, Pennsylvania 19106 (215) 597-4058.

Mr. Ralph Jennings, Toxic Substances Coordinator, EPA Region IV, Pesticide Branch, 345 Courtland Street, NE, Atlanta, Georgia 30308 (404) 881-3864.

Mr. Karl Bremer, Toxic Substances Coordinator, EPA Region V, Pesticide Branch, 230 South Dearborn Street, Room 1185, Chicago, Illinois 60604 (312) 353-2231.

Mr. Dean Gillam, Toxic Substances Coordinator, EPA Region VIII, Pesticide Branch, 1860 Lincoln Street, Denver, Colorado 80295 (303) 837-3926.

Mr. Kirby Narcisse, Toxic Substances Coordinator, EPA Region IX, Pesticide Branch, 215 Fremont Street, San Francisco, California 94105 (415) 556-4606.

Mr. Jim Everts, Toxic Substances Coordinator, EPA Region X, Pesticide Branch, 1200 6th Avenue, Seattle, Washington 98101 (206) 442-1090.

Dr. Norman Dyer, Chief, Pesticides and Hazardous Materials, EPA Region VI, Pesticide Branch, First International Building, 1201 Elm Street, Dallas, Texas 75207 (214) 767-2734.

IV. Program Period

In planning their project(s), applicants should bear in mind that cooperative agreement funds do not have to be disbursed in their entirety within fiscal year 1980. However, EPA expects that all such funds will be disbursed within a three-year period following award of the cooperative agreement, with the understanding that the awards will not be repeated under the present TSCA authorization.

V. Cost Sharing

The States shall provide at least 25 percent of the approved project costs. The State's share may be reflected in allowable direct or indirect costs.

VI. Submissions of Applications

Applications for Federal assistance may be submitted by State agency(ies) responsible for State activities in the toxic substances control area. States interested in receiving toxic substances control cooperative agreements should submit EPA Form 5700–33, Application for Federal Assistance, to the Environmental Protection Agency, Grants Administration Division (PM–216), 401 M Street SW., Washington, D.C. 20460, by May 12, 1980 in order to be considered eligible for award. The application should be entitled "Toxic Substances Cooperative Agreement". A copy of the application should be sent to the appropriate EPA Regional Office. States submitting applications after this date may jeopardize their chances of receiving toxic substances control cooperative agreement funds.

VII. EPA Actions on Applications

A review panel will be constituted at EPA Headquarters with Regional Office representation. This panel will initially review all applications submitted by May 12, 1980, and will make a final recommendation as to which States will receive awards within 120 days following the submission deadline; the final decision by the Assistant Administrator for Pesticides and Toxic Substances will be made within 30 days following receipt of the panel's recommendations. It is anticipated that the number of cooperative agreements to be funded under this program will be between 3 and 5. Except in unusual circumstances, the amount of each cooperative agreement is expected to be between $50,000 and $500,000. Funding will be based strictly on merit as determined in accordance with the eligibility criteria as set forth above. Awards will be transmitted to States within 45 days following final determination.

The awards will be made by EPA Headquarters. However, the Regional Administrator or his designee will serve as Project Officer for the administration of the cooperative agreement and will be responsible for overseeing State performance. Further information concerning toxic substances control cooperative agreements may be obtained by contracting the appropriate EPA Regional Office or the Office of Pesticides and Toxic Substances (PTS–793), EPA, 401 M Street, SW., Washington, D.C. 20460. The OPTS contact is Bob Janney, telephone 202–426–1800.

[FR Doc. 80-4321 Filed 2-8-80; 8:45 am]
BILLING CODE 6560-01-M

APPENDIX II

Press Releases Announcing TSCA Federal Assistance Awards

EPA

Environmental News

FOR RELEASE
WEDNESDAY, APRIL 18, 1979

O'Neill (202) 755-0344

EPA AWARDS STATES $1.7 MILLION TO CONTROL TOXIC CHEMICALS

The Environmental Protection Agency has awarded five States a total of $1,740,229 to develop programs for investigating and controlling human and environmental hazards from toxic chemicals.

The States receiving the funds under "cooperative agreements" are: Maryland, Michigan, New Jersey, New York and Wisconsin. The grants are the first to be awarded for State program development under the 1976 Toxic Substances Control Act. A brief description of how each State plans to spend the money is attached.

EPA said States have until May 27, 1979 to apply for a second round of grant money totalling $1,250,000. Details on how to apply are explained in the August 28, 1978 Federal Register. For further information, contact Bob Janney, EPA's Office of Toxic Substances, 202/755-8040.

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R-60

1. Maryland -- $230,935 to the Department of Health and Mental Hygiene to develop a toxic substances registry. The project will expand Maryland's existing inventory to a more comprehensive registry of toxic substances by physical site and quantity, providing information on manufacture, consumption, and disposal. (For further information, contact Dr. Max Eisenberg, Department of Health and Mental Hygiene, at 301-383-2365.)

2. Michigan -- $504,500 to the Department of Natural Resources to develop a Critical Materials Program. The project will identify potential toxic substances problems through analysis of data available in Michigan's Critical Materials Reports, Air Priority Chemicals Reports, and other sources of information. (For further information, contact Mr. Richard Powers, Department of Natural Resources, at 517-374-9640.)

3. New Jersey -- $453,947 to the Department of Environmental Protection to (a) develop a Toxic Substances Investigation and Integration Unit, and (b) expand a current project to monitor volatile organic compounds in air. The former project will create a unit charged with identifying, investigating, and resolving toxic substances problems, and with integrating problem-solving activities across divisional and agency lines. The latter program is to complement a present program for air monitoring for toxic substances with analyses of air samples for a broad spectrum of volatile organics. (For further information, contact Dr. Peter Preuss, Department of Environmental Protection, at 609-984-6070.)

4. New York -- $348,000 to the Department of Environmental Conservation to develop a program to identify, characterize, and plan for the management of toxic substances problems. The project will determine optimum procedures for locating sources of toxic substances contamination, defining the nature and extent of the problem, and developing management techniques that will integrate State and local governments' responsibilities in a manner consistent with Federal programs. (For further information, contact Dr. L. Hetling, Department of Environmental Conservation, at 518-457-7472.)

5. Wisconsin -- $202,847 to the Department of Health and Social Services to study health problems related to formaldehyde vapors emanating from mobile home construction materials. The project will identity through epidemiological studies, health problems related to formaldehyde vapors emanating from mobile home construction materials. Wisconsin's effort will complement a Massachusetts' study of problems related to formaldehyde vapors from insulation materials.

Brief summaries of the proposals and the proposals themselves may be reviewed at EPA in Room 710 (East Tower), 401 M Street, SW, Washington, DC 20460.

United States
Environmental Protection
Agency

Press Office (A-107)
Washington DC 20460

EPA

Environmental News

FOR IMMEDIATE RELEASE
THURSDAY, MARCH 20, 1980

O'Neill (202) 755-0344

EPA AWARDS STATES $1.4 MILLION TO CONTROL TOXIC CHEMICALS

The Environmental Protection Agency has awarded three States a total of $1.44 million to develop programs for investigating and controlling human and environmental hazards from toxic chemicals.

The States receiving the funds under "cooperative agreements" are New Jersey, North Carolina, and the Commonwealth of Puerto Rico. The grants are the second group to be awarded for State program development under the 1976 Toxic Substances Control Act. (First group of grants were to Maryland, Michigan, New Jersey, New York, and Wisconsin in 1979.) A brief description of how each State plans to spend the money is attached.

EPA said that States have until May 11, 1980 to apply for a third round of grant money totalling $1,250,000. Details of how to apply are explained in the February 11, 1980 Federal Register. For further information, contact Bob Janney in EPA's Office of Pesticides and Toxic Substances, 202/426-1800.

R-50

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1. New Jersey -- $794,053 to the Department of Environmental Protection to (a) study the movement, distribution and uptake of in-place mercury, (b) conduct an emissions monitoring program for selected toxic substances, (c) assess the ecological effects of contaminants in the waters of New Jersey, (d) establish and operate a Toxic Substances Information Resource Center, and (e) conduct a field application study of In Vitro mutagenesis tests. These five programs and the two funded in the first group of awards will fully supplement New Jersey's existing toxic substances program. (For further information, contact Ms. Jerry Fitzgerald English, Commissioner, New Jersey Department of Environmental Protection, at 609/292-2885.)

2. North Carolina -- $385,000 to the Office of the Governor to identify, assess and control toxic substances in North Carolina. The project will (a) develop a profile of substances produced, used, and accumulated as wastes in the State, (b) assess the human health effects of selected profiled substances, (c) identify sources, level, and durations of human exposure to profiled substances, and (d) develop and begin implementing a plan to control those substances for which adverse effects are judged to exceed benefits. (For further information contact Dr. Quentin W. Lindsey, Science and Public Policy Advisor to the Governor, at 919/733-6501.)

3. Puerto Rico -- $258,394 to the Environmental Quality Board to develop and manage Puerto Rico's toxic substances management strategy. The project will (a) develop a toxic substances control strategy, (b) develop an inventory of chemical substances in Puerto Rico, (c) establish mechanisms to coordinate toxic substances control efforts mounted by several State agencies, (d) develop priority lists of substances, and (e) expand their existing public participation awareness program. (For further information, contact Mr. Santos Rohena, Jr. of the Environmental Quality Board at 809/725-2062.)

R-50

United States
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Press Office (A-184)
Washington DC 20460

EPA Environmental News

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FOR IMMEDIATE RELEASE
THURSDAY, MARCH 19, 1981

Acly (202) 755-0344

EPA AWARDS STATES $1.3 MILLION TO CONTROL TOXIC CHEMICALS

The U.S. Environmental Protection Agency has awarded four States a total of $1.3 million in grants to develop special programs to investigate and control hazards to human health and the environment posed by toxic chemicals.

The States--Illinois, Maryland, Michigan and Ohio--are receiving the funds under "cooperative agreements" with EPA. The grants are the third and final group to be awarded for the development of State programs under the 1976 Toxic Substances Control Act (TSCA). Congress appropriated $4.5 million to fund this program.

Maryland, Michigan, New Jersey, New York, North Carolina, Puerto Rico and Wisconsin have received grants previously under this program.

The grant program is operated under authority of Section 28 of TSCA. States are selected to participate based on such criteria as the degree of benefit that will ensue, the State's need in solving a specific problem in the State, the availability of needed management structures, and the future usefulness of any new techniques or approaches employed.

A brief description of how each of the four States plans to spend the money is attached. For further information, contact Bob Janney of EPA's Office of Pesticides and Toxic Substances, telephone (202) 755-0040.

# # #

R-42

1. Illinois -- $475,626 to the Department of Public Health to develop an integrated and cooperative system for detecting morbidity (sickness) and mortality (death) in Illinois from exposure to toxic substances in the environment. The components of the proposal include (a) the development of a comprehensive statewide communication network for information sharing and early hazard identification, (b) a system of data management and evaluation, and (c) increased field investigation capabilities. For further information, contact Mr. Chris Wiant, Illinois Department of Public Health, at (217) 782-4674.

2. Maryland -- $100,000 to the Department of Health and Mental Hygiene to develop a program to assure the safe and effective containment of toxic substances in storage tanks. Major components of the proposal include (a) developing a guide and procedures manual addressing such topics as maintenance and inspection, and (b) training materials to be used in seminars across the State. For further information, contact Dr. Max Eisenberg, Maryland Department of Health and Mental Hygiene, at (301) 383-2740.

3. Michigan -- $532,258 to the Department of Natural Resources to develop an interdepartmental risk assessment program in Michigan. The major program elements are (a) developing formal criteria for evaluating information on the environmental fate of chemicals, (b) adopting or developing a risk assessment model, (c) increased occupational and products monitoring, and (d) establishing priorities for follow-up epidemiology studies. For further information, contact Mr. Gary Hurlburt, Michigan Department of Natural Resources, at (517) 373-1750.

4. Ohio -- $130,512 to the Ohio Environmental Protection Agency to determine the correlation of cancer mortality to ambient acrylonitrile exposure. Major project components include (a) verifying the areas and populations at risk, (b) gathering information concerning cancer mortality in the study population; and (c) examining and analyzing the data and preparing the project report. For further information, contact Mr. Charles Wilhelm, Ohio Environmental Protection Agency, at (614) 466-7220.